

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

JAMES PAYNE,)	
)	
Plaintiff,)	
)	
vs.)	CAUSE NO. 3:04-CV-92 RM
)	
STANLEY KNIGHT, <i>et al.</i> ,)	
)	
Defendants.)	

OPINION AND ORDER

James Payne submitted several motions. Mr. Payne's motions for order to show cause (docket entry 47), for an order to produce discovery (docket entry 52), and for entry of default judgment (docket entry 55) ask the court to compel discovery and enter default judgment against the defendants because they have failed to provide any of his requested discovery materials. However, the defendants did respond to Mr. Payne's discovery requests (docket entry 53). Mr. Payne's motions to show cause, to produce discovery, and for default judgment (docket entries 47, 52 & 55) will be denied as moot.

Mr. Payne's motions to produce discovery and for default judgment (docket entries 61 & 62) ask the court to order the defendants to produce all discovery materials. Specifically, Mr. Payne objects to the defendants' responses to his production for documents and responses to interrogatories. The defendants filed a response which included additional documents which Mr. Payne requested, and additional reasons for their original responses to the requested discovery. The defendants have produced the discovery that Mr. Payne is entitled to. Mr. Payne is not entitled to discover confidential information, and cannot discover a video tape which, if it existed, has been destroyed. Mr. Payne's motions to produce discovery and for default judgment (docket entries 61 & 62) will be denied.

The motion for enlargement of time filed by the defendants (docket entry 57) is denied as moot.

Accordingly, the court

(1) DENIES plaintiff's motions regarding discovery (docket entries 47, 52 & 55) as moot

(2) DENIES plaintiff's motions for discovery and default (docket entries 61 & 62) because the defendants have appropriately responded; and

(2) DENIES defendants' motion for enlargement of time (docket entry 57) as moot.

ENTERED: July 8, 2005

s/Christopher A Nuechterlein
Christopher A. Nuechterlein
United States Magistrate Judge